

**REMARKS**

Upon entry of the amendment, claims 1-5, and 65-110 will be pending. Support for the amendments of claims 1 and 5 and the additional new claims 65-110 is set forth below. Any fees that may be due in connection with this application during its pendency may be charged to Deposit Account No. 50-1213.

Claims 65-110 and amendments to claims 1 and 5 find basis in the specification of the instant application. Claim 1 is amended to more clearly indicate that the array of probes is created upon hybridization of the two sets of nucleic acids. The method for creating an array of probes of claim 1 finds basis, for example, on page 6 lines 14-15 of the specification. Claim 5 is amended to more clearly set forth the claimed subject matter in two dependent claims.

Claims 70-79 find basis in the specification, for example, on page 20, line 14-27. Claims 80-88 find basis, for example, on page 7, lines 9-11; page 18, lines 25-28; page 25, lines 14-27 and page 26, lines 1-5. Claims 89-94 find basis for example on page 25, line 11 to page 26, line 5. Claims 95-110 find basis, for example, on page 15, line 10 to page 16, line 11; page 17, lines 10-19; page 11, lines 9-11; page 13, lines 13-24; page 20, lines 17-21; page 18, lines 25-28; and page 13, line 28 to page 14, line 4. Hence, no new matter has been added.


\* \* \*

**U.S.S.N. 09/030,571**  
**Cantor et al.**  
**PRELIMINARY AMENDMENT**

In view of the above remarks, consideration and allowance of the application is respectfully requested.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No. 25491-2401G  
**Address all correspondence to:**  
Stephanie L. Seidman  
HELLER EHRMAN WHITE & McAULIFFE LLP  
4250 Executive Square, 7th Floor  
La Jolla, California 92037  
Telephone: (858) 450-8400  
Facsimile: (858) 587-5360  
Email: sseidman@hewm.com